



Docket: P910041DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Chia-Chi Chung

Serial No.: 10/769,204

Filed: January 30, 2004

For: NON-VOLATILE MEMORY
DEVICE WITH ENLARGED
TRAPPING LAYER

Examiner Coleman, William
D.

Group Art Unit: 2823

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service, First Class mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 3, 2004.
STOUT, UXA, BUYAN & MULLINS, LLP

Kenton R. Mullins, Reg. No. 36,331

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

Submitted herewith are

- ~ Return Receipt Postcard;
- ~ Copy Notice of non-Compliant Amendment;
- ~ Preliminary Amendment;
- ~ The Commissioner is hereby authorized to charge any needed fees to deposit account 50-1600.

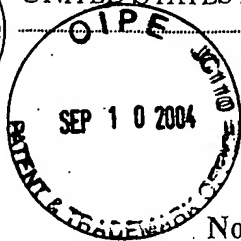
Respectfully submitted,

Kenton R. Mullins
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September 3, 2004
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UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
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Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 7.19.04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: TEXT OF CANCELLED CLAIMS ARE NOT NEEDED

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

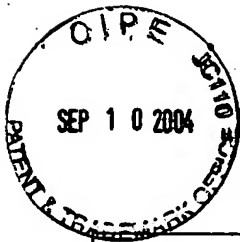
If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Ms. Dawkins
Legal Instruments Examiner (LIE)

571 272-1567
Telephone No.



Revised Amendment Practice

- Whenever any claim is added, deleted or amended, a complete claim listing must be provided, which includes:
 - all claims ever presented in the application
 - claims in ascending numerical order
 - a status identifier in parentheses following the claim number for each and every claim
 - the text of all pending claims including withdrawn claims must be presented; no text for (canceled) or (not entered) claims

July 30, 2003

3

Revised Amendment Practice

- Status Identifiers
 - Only the following are permitted: (original), (currently amended), (canceled), (new), (withdrawn), (previously presented) and (not entered) (The last two are new)
 - Consecutive claims in status (canceled) or (not entered) may be grouped (e.g., claims 1-5 (canceled))

July 30, 2003

4